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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,081	11/16/1999	TSUNEO SATO	1614.1010	3833

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EXAMINER

HO, THOMAS M

ART UNIT

PAPER NUMBER

2134

DATE MAILED: 07/30/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

pp4

<b>Office Action Summary</b>	Application No. 09/441,081	Applicant(s) SATO ET AL.	
	Examiner Thomas M Ho	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 November 1999.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                          | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)      | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. | 6) <input type="checkbox"/> Other:  |

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### DETAILED ACTION

1. Claims 1-15 are pending.

appeals a matching unit to our

#### *Specification*

2. The disclosure is objected to because of the following informalities:

On page 1 line 21, the examiner suggests adding "the" between "in" and "fabric".

On page 1 line 25, the examiner suggests adding "the" between "that" and "checking".

On page 1 line 26, the examiner suggests adding "the" between "misuse".

On page 1 line 27, the examiner suggests adding "the" before "ramifications".

On page 1 line 29, the examiner suggests adding "the" between "in" and "checking".

Numerous other minor informalities including misuse of "is", "are", and "the" are also present throughout the specification.

The examiner requests the applicant to make the appropriate corrections as required.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Pegg.

In regards to claim 1:

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Pegg(column 2, lines 52-58), (column 5, lines 50-64) discloses a calculation unit which calculates a check value by applying a user-specific formula to at least one randomly generated

number.

In (column 5, lines 5-8) and (column 5, lines 52-61), Pegg reveals a matching unit to see if the check value matches the user-entered value in response to a random number presented to the user.

In regards to claim 2:

Pegg(column 4, line 63)-(column 5, line 2) discloses a device in which the calculation unit may output a fixed number as the check value, or access code, if the user-specific formula consists of the fixed number.

In regards to claim 3:

Pegg(column 2, line 52-64) and (column 1, lines 55-59) discloses a device wherein the user-specific formula includes a variable that is an indication of a time at which said calculation unit calculates the check value.

In regards to claim 4:

Pegg discloses a device further comprising

- a control-data unit which stores therein, user IDs and user-specific formulas associated with respective user IDs. Pegg(Figure 1) and Pegg(column 6, lines 53-57)

- A selection unit which selects the user-specific formula from said control-data unit in response to a user ID of said user. Pegg (column 5, lines 33-45)
- A random number generating unit which generates said at least one randomly generated number. Pegg(column 4 lines 51-66) and Pegg(column 1, lines 55-59)

In regards to claim 5:

Pegg(Fig 2a, Fig 2b) discloses a device further comprising a registration/updating unit which updates one of the user-specific formulas in the control data unit with a user-entered formula only if a user entering the user-entered formula proves knowledge of said one of the user-specific formulas by entering said one of the user specific formulas.

In regards to claim 6:

Claim 6 is a method that is substantially equivalent to device claim 1. Therefore claim 6 is rejected by a similar rationale.

In regards to claim 7:

Claim 7 is a method that is substantially equivalent to device claim 2. Therefore claim 7 is rejected by a similar rationale.

In regards to claim 8:

Claim 8 is a method that is substantially equivalent to device claim 3. Therefore claim 8 is rejected by a similar rationale.

In regards to claim 9:

Claim 9 is a method that is substantially equivalent to device claim 4. Therefore claim 9 is rejected by a similar rationale.

In regards to claim 10:

Claim 10 is a method that is substantially equivalent to device claim 5. Therefore claim 10 is rejected by a similar rationale.

In regards to claim 11:

Claim 11 is a computer readable medium having a program embodied therein whose function is substantially equivalent to device claim 1. Therefore claim 11 is rejected by a similar rationale.

In regards to claim 12:

Claim 12 is a computer readable medium having a program embodied therein whose function is substantially equivalent to device claim 2. Therefore claim 12 is rejected by a similar rationale.

In regards to claim 13:

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Claim 13 is a computer readable medium having a program embodied therein whose function is substantially equivalent to device claim 3. Therefore claim 13 is rejected by a similar rationale.

In regards to claim 14:

Claim 14 is a computer readable medium having a program embodied therein whose function is substantially equivalent to device claim 4. Therefore claim 14 is rejected by a similar rationale.

In regards to claim 15:

Claim 15 is a computer readable medium having a program embodied therein whose function is substantially equivalent to device claim 5. Therefore claim 15 is rejected by a similar rationale.

### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M Ho whose telephone number is (703)305-8029. The examiner can normally be reached on M-F from 8:30am – 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached at (703)308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-5484.

*Matthew L. Smithers*  
MATTHEW SMITHERS  
PRIMARY EXAMINER  
*Art Unit 2134*